UNITED
NATIONS

A

General Assembly

Distr.
GENERAL

A/49/746
1 December 1994
ENGLISH
ORIGINAL: SPANISH

Forty-ninth session
Agenda item 145

REVIEW OF THE PROCEDURE PROVIDED FOR UNDER ARTICLE 11 OF THE STATUTE OF THE ADMINISTRATIVE TRIBUNAL OF THE UNITED NATIONS

Report of the Sixth Committee

Rapporteur: Mrs. Silvia A. FERNÁNDEZ de GURMENDI (Argentina)

I. INTRODUCTION

1. The item entitled "Review of the procedure provided for under article 11 of the statute of the Administrative Tribunal of the United Nations" was included in the provisional agenda of the forty-ninth session of the General Assembly pursuant to Assembly decision 48/415 of 9 December 1993.

2. At its 3rd plenary meeting, on 23 September 1994, the General Assembly decided to include the item in its agenda and to allocate it to the Sixth Committee.

3. In connection with the item, the Sixth Committee had before it a report of the Secretary-General containing the views submitted by Governments pursuant to decision 48/415 (A/49/258), as well as a report of the Secretary-General prepared pursuant to the same decision and containing a review of the procedure provided for under article 11 of the statute of the Administrative Tribunal of the United Nations (A/C.6/49/2).

4. The Sixth Committee considered the item at its 38th and 39th meetings, on 18 and 23 November 1994. The summary records of those meetings contain the views of the representatives who spoke during the Committee's consideration of the item (A/C.6/49/SR.38 and 39).

5. At the 38th meeting, on 18 November, the Deputy Legal Counsel and Director of the Office of the Legal Counsel introduced the report of the Secretary-General (A/C.6/49/2).

II. CONSIDERATION OF DRAFT DECISION A/C.6/49/L.21

6. At the 39th meeting, on 23 November, the representative of Ireland introduced a draft decision entitled "Review of the procedure provided for under article 11 of the statute of the Administrative Tribunal of the United Nations" (A/C.6/49/L.21), sponsored by Australia, Benin, France and Ireland.

7. At the same meeting, the Committee adopted draft decision A/C.6/49/L.21 without a vote (see para. 8).

III. RECOMMENDATION OF THE SIXTH COMMITTEE

8. The Sixth Committee recommends to the General Assembly the adoption of the following draft decision:

Review of the procedure provided for under article 11 of the statute of the Administrative Tribunal of the United Nations

The General Assembly, having taken note of the report of the Secretary-General, 1/ decides:

(a) To consider at its fiftieth session the deletion of article 11 of the statute of the Administrative Tribunal of the United Nations and any consequential amendments relating thereto, in the light of the progress made during its forty-ninth session on the reform of the internal system of justice in the United Nations Secretariat;

(b) To include in the provisional agenda of its fiftieth session the item entitled "Review of the procedure provided for under article 11 of the statute of the Administrative Tribunal of the United Nations".

1/ A/C.6/49/2.